

REMARKS

In the Official Action mailed on **11 February 2008**, the Examiner reviewed claims 1-11, 20-25 and 27-34. Examiner rejected claim 33 under 35 U.S.C. § 101. Examiner rejected claims 27-33 under 35 U.S.C. § 112. Examiner rejected claims 1-11, 20-25, and 27-34 under 35 U.S.C. § 103(a) based on Rabin et al. (U.S. Patent No. 6,697,948 hereinafter “Rabin”), and Branscomb et al. (U.S. Patent No. 7,240,364).

Rejections under 35 U.S.C. § 101

Examiner rejected claim 33 under 35 U.S.C. § 101 averring that claim 33 is directed to non-statutory subject matter. Accordingly, applicant has canceled claim 33.

Rejections under 35 U.S.C. § 112

Examiner rejected claims 27-33 under 35 U.S.C. § 112 for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Accordingly, applicant has canceled claims 27-33.

Rejections under 35 U.S.C. § 103(a)

Examiner rejected claims 1-11, 20-25, and 27-34 under 35 U.S.C. § 103, asserting that these claims are unpatentable over Rabin in view of Branscomb. Accordingly, applicant has canceled claims 1-11, 20-25, and 27-34.

Applicant respectfully notes that in the Official Action mailed on **2 May 2007**, the Examiner reviewed claims 1-37. Restriction to one of the following inventions is required under 35 U.S.C. § 121:

- I. Claims 1-11, 20-25, and 27-34 drawn to a server, classified in class 707, subclass 1.

- II. Claims 12-19, 26 and 35, drawn to a computer, classified in class 708, subclass 100.
- III. Claims 36 and 37, drawn to license management, classified in class 705, subclass 59.

Restriction requirement

Applicant hereby cancels claims 1-11, 20-25, and 27-34 without prejudice, and elects species II for examination without traverse. New claims 38-47 read on species II. These new claims find support in original claims 12-19, 26, and 35 of the instant application.

Furthermore, applicant respectfully notes that in some embodiments of the present invention, the client is configured such that a user attempting to access a client-provided feature triggers a request to the server, such that the server can dynamically configure the user's software license information. Accordingly, applicant has further amended claims 38, 46, and 47 to clarify that a client **receives an action from a user to access a feature from one or more features of a software program; and responsive to receiving the action from the user, the client sends a request to a server to access the feature of the software program.** These amendments find support in paragraph [0022] of the instant application. No new matter has been added.

Applicant respectfully submits that independent claims 38, 46, and 47, are in condition for allowance. Applicant also submits that claims 39-45, which depend upon claim 38, are for the same reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

CONCLUSION

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

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